24-Month STEM OPT Extension

Gold underlined text is hyperlinked – click on links for more information

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Introduction to STEM Optional Practical Training (OPT)

STEM Optional Practical Training (OPT) Extension

A 24-month extension of post-completion OPT authorized by USCIS for certain individuals in F-1 status who receive science, technology, engineering, and mathematics (STEM) degrees listed on the STEM Eligible CIP Codes list

Qualifying STEM Degree

- Must be based on STEM-qualifying Bachelor's, Master's, or Ph.D. degree from an accredited SEVP-certified school

- The CIP code for the degree's major field of study must appear on the STEM Designated Program List.

- **Note**: Students still working towards a thesis or dissertation requirement may apply for STEM OPT. However, this exception is not available if the STEM OPT extension on a *previous* degree.

STEM OPT based on a previously obtained qualifying STEM degree

A 24-month STEM OPT extension can be based either on:

- Your current post-completion OPT degree, or

- A previously obtained STEM degree from an accredited U.S. institution, even if was not from CU Boulder.

Requirements for applying based on a *previous* STEM Degree at the time CU Boulder ISSS makes the recommendation:

- The prior degree must have been conferred by an accredited, SEVP-certified U.S. institution

- The degree's major field of study must be on the current STEM Designated Degree Program List

- The degree must have been conferred within the past 10 years

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Additional Eligibility Requirements

✓ Maintained lawful F-1 status during the post-completion OPT period.
   - ✓ Report all post-completion OPT employment promptly
   - ✓ Do not accrue more than 90 days of unemployment

✓ Have a Qualifying job
   - ✓ Job must be paid, for at least 20 hours a week at each STEM employer
   - ✓ Must relate to the STEM major field of study

✓ Have a qualifying STEM employer
   - ✓ Employer must be enrolled in E-Verify and have an IRS Employer Identification Number (EIN)
   - ✓ There must be a "bona fide employer-employee" relationship
   - ✓ Student may not be self-employed

✓ Have a completed Form I-983 training plan
   - ✓ Student and employer must complete a Form I-983 Training Plan
   - ✓ Student must submit completed I-983 to their DSO (ISSS advisor) before the DSO recommends STEM OPT in SEVIS

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STEM OPT Qualifying Job Requirements

The regulations require any job undertaken during a 24-month STEM OPT extension meet the following conditions:

- The employer is enrolled in E-Verify

- The job is directly related to your qualifying STEM degree

- The job assists you in reaching your training goals as outlined in Form I-983
    - The job is more than just a position— your employer must provide structured training as outlined on Form I-983

- The employer that signs your Form I-983 must be the same entity that provides the practical training experience

- The position must be a paid position with compensation and conditions comparable to U.S. workers

- Require at least 20 hours per week, excluding approved leave

- A bona fide employer-employee relationship must exist

STEM OPT start date

The STEM OPT *authorization* start date must be the date immediately after your post-completion OPT end date.

- Example:
  - Post-completion OPT end date is June 1.
  - STEM OPT authorization start date will be June 2.

If your STEM OPT *employment* start date is after your STEM OPT *authorization* start date, then you will accrue unemployment days.

- Example:
  - STEM OPT authorization start date is June 2.
  - STEM OPT employment start date is July 2.
    - You will accrue 30 unemployment days for the days between June 2 and July 2.

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Applying for STEM OPT

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Application Timeline

Your STEM OPT application must be receipted by USCIS:

- No earlier than 90 days prior to your current post-completion OPT EAD expiration date;
- No later than your current post-completion OPT EAD end date; *and*
- Within 60 days of the "School Attestation" signature date on page 1 of the STEM OPT I-20

- Note: It can take several days for USCIS to receipt an application, so ISSS recommends submitting your application at least 3 business days before your OPT end date and within 57 days from the date ISSS issued your STEM OPT recommendation I-20
- You MUST submit your application to USCIS while you are **inside** of the United States.

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Step 1: I-983

Before ISSS can recommend the 24-month STEM OPT extension you must:

- Complete the I-983 Training Plan for STEM OPT Students with your employer
  - Signatures for the I-983 can be
  - Wet signature (ink)
  - Electronic signature using software programs or applications, or
  - An electronically reproduced copy of a signature.

The Form I-983:

- Clearly articulates the STEM OPT student's learning objectives

- Affirms the employer's commitment to helping the student achieve those objectives.

The Form I-983 is **not** submitted to USCIS with the STEM OPT application. ISSS uploads it to your SEVIS record when recommending STEM OPT in SEVIS.

Form I-983 Training Plan

Carefully review the form I-983 instructions on the ISSS STEM OPT webpage and the Department of Homeland Security's website.

If Form I-983 has edits needed, it will slow down ISSS's processing time. Common mistakes to be aware of:

Section 1:
- **DSO Name and Contact Information:** Enter the name of an ISSS Advisor, their email address, phone number, and the following address: 2249 Willard Loop Drive Boulder, CO 80309. You may handwrite this information neatly in black ink.
- **Qualifying Major and Classification of Instructional Programs (CIP) Code:** Be sure to enter both found on your form I-20. Example: 11.0701 - Computer Science.
- **Based on Prior Degree** – Check NO if using the same degree that was used for your current Post-Completion OPT.
- **Employment Authorization Number:** Enter the number found on your Employment Authorization Document (EAD card) underneath "USCIS#"

Form I-983 Training Plan Continued

Section 3:

- **Start Date of Employment:** Enter the date when you will begin the *STEM OPT training* with the employer (and NOT the start date of the Post-Completion OPT employment).

Section 5:

- **Site address:** Physical address where you will be working while on the STEM OPT Extension.

- In this section your employer must answer each question fully, and provide *detailed* information regarding your role, goals and objectives, employer oversight, and measures and assessment.

Page 5:

When you submit your STEM OPT Extension I-20 Request to ISSS, page 5 of your I-983 should be left blank.

- This page will be used for your 12-month and 24-month (or final) evaluations.

- It will be completed by you and your employer one year into your period of STEM OPT ('evaluation on student progress'), and at the end of any of your STEM OPT employment ('final evaluation on student progress').

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Step 2: STEM OPT Extension I-20 Request eform

2. Complete the **STEM OPT Extension I-20 Request** eform, available in the MyISSS Portal, under Training/Employment-Related Forms.

You must attach the following to the eform:
- completed and signed Form I-983 Training Plan
- most recent EAD card; and
- documentation of the completion of your STEM degree coursework.
  - If you have completed the degree, attach a copy of your diploma and/or a copy of your final transcript indicating the degree and major.
  - If you have only completed the coursework for the degree, attach a signed letter on letterhead from your academic department indicating the degree's major, when the coursework was completed, and that the degree is still in progress.

You must first receive the I-20 recommending STEM OPT from ISSS before submitting your I-765 to USCIS.

While ISSS is reviewing STEM OPT Extension I-20 Request eform

ISSS will contact you if any questions arise or if edits are needed.

To avoid common mistakes and delays, **carefully review the I-983 instructions** before submission.

ISSS will:

Recommend your STEM OPT Extension in SEVIS and upload your completed Form I-983.

Issue a signed I-20 recommending STEM OPT. You must **sign this I-20 by hand** and include a copy in your USCIS application.

- **Note:** ISSS only **recommends** the 24-month STEM OPT Extension; the final approval is determined by USCIS.

What happens if I apply to USCIS first without an ISSS OPT STEM Extension recommendation?

If a student first submits the USCIS online application and *then* requests the STEM OPT recommendation I-20 from ISSS, the STEM OPT application will be denied, as the regulations require the recommendation to be entered into SEVIS *prior* to the STEM OPT filing.

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Submitting Your STEM OPT Application

Step 3: Submit Form I-765 to USCIS

The USCIS Form I-765 is used to request employment authorization and an <u>Employment Authorization Document</u> (EAD).

The Form I-765 may be submitted online.

Filing electronically

Create or log in to your USCIS online account at myaccount.uscis.gov.

Within your USCIS account, you will be able to:
- Complete the online Form I-765.
- Upload required evidence.
- Pay the I-765 filing fee.

Please note: filing online does not expedite the USCIS processing times.

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If you moved in the last 12 months

If you have moved or changed addresses since filing your Post-completion OPT I-765, use the new USCIS Enterprise Change of Address (E-COA tool) to update your address with USCIS.

- Requires a USCIS online account
- Only available in English

Submit the change of address with USCIS *before* initiating a new I-765 form online.

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What evidence do I need to submit to USCIS for my online STEM OPT application?

Evidence (as listed in online filing system)	Example	Notes
2 x 2 photo of you	Passport Photo	See "**Photo Requirements**" <u>U.S. Department of State photo requirements.</u> DOS also has a <u>photo check tool</u> that you can use to check the photo ahead of time.
Form I-94	Entry I-94 Or Change of Status I-797 Approval	Download your most recent I-94 here: <u>https://i94.cbp.dhs.gov/</u>
Employment Authorization Document	Post-completion OPT EAD Card	
Form I-20	Newest I-20 with STEM OPT recommendation	This is only referring to the recommending I-20, not to prior I-20s.
College degree	Diploma and / or transcripts showing degree conferral	
Institution accreditation	Proof of Accreditation (screenshot from school or accreditor's website)	Only required if you are filing STEM OPT based on a **prior** degree (i.e. not the OPT degree).

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Timely Filing Consideration!

- ISSS has observed that I-765 applications submitted online are often receipted the day after submission.

- To be safe, ISSS recommends submitting your I-765 no later than 57 days after receiving your recommending I-20 from ISSS.

- USCIS is not open on weekends or federal holidays. Be mindful when submitting the I-765 close to the deadline as the I-765 may not be receipted until after a weekend or holiday

Pay.gov Payment Confirmation: USCIS I-765

1 me age

ELISdonotreply@uscis.dhs.gov <ELISdonotreply@uscis.dhs.gov>   Tue, Apr 11, 2023 at 9:17 PM
To: ▮▮▮▮▮▮▮▮▮▮▮▮

Your payment ha been ubmitted to Pay gov and the detail are below If you have que tion about thi notification or need technical support, please contact us online at https://egov.uscis.gov/cris/contactus and reference the receipt number(s) shown below.

Application Name USCIS I 765
Pay.Gov Tracking ID: ▮▮▮▮▮▮
Agency Tracking ID: ▮▮▮▮▮▮▮
Transaction Type: Credit Card
Tran action Amount $410 00
Payment Date: Apr 12, 2023

Transaction Date: Apr 12, 2023 03:17:50 AM

Your payment was applied to the following case(s):
▮▮▮▮▮▮▮

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Check USCIS Processing Times

- Go to https://egov.uscis.gov/processing-times/

- Select:
  - I-765 Application for Employment Authorization
  - Based on a request by a qualified F-1 academic student [(c)(3)]
  - Potomac Service Center

Form *

I-765 | Application for Employment Authorization ▾

Form Category *

Based on a request by a qualified F-1 academic student [(c)(3)] ▾

Field Office or Service Center *

Potomac Service Center ▾

Get processing time

Processing time for Application for Employment Authorization (I-765) at Potomac Service Center

80% of cases are completed within

4
Months

Premium Processing Option for e-filed I-765s!

- Online filing of [Form I-907, Request for Premium Processing Service](#)
- Guarantees adjudicative action within 30 business days of receipt
  - Does not include time for printing and mailing the EAD
- Premium Processing fee is in addition to the I-765 filing fee
  - Fees are subject to change
- Guarantees some sort of adjudicative action within 30 business days of receipt
- Can be requested when completing the I-765 or may be requested on a later date after the I-765 is already submitted.

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Case Was Changed To A Premium Processing Case

We changed your case, Receipt Number IOE9605064368, from a standard case to a premium-processing case. The premium-processing clock started on April 14, 2023. Your premium-processing receipt notice contains contact information for direct inquiries on your case. Please follow the instructions in the notice. If you move, contact the premium-processing unit directly to update your address.

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Working on STEM OPT

You may continue to work on your expired EAD for post-completion OPT for up to **180 days** while your STEM OPT petition is pending if:

- You properly, and in a timely manner*, filed your application for the 24-month STEM OPT Extension with USCIS.

    *Receipt Notice must show a receipt date that is prior to your current post-completion OPT EAD end date.

You can learn more about the 180-extension on the USCIS website.

Waiting for USCIS to approve application

Monitor receipt notices and notifications from USCIS.

• Ensure you receive a paper receipt notice.

• Verify that your name and date of birth are correct on the receipt notice.

• Contact ISSS immediately if your STEM OPT application is rejected, denied, or if you receive a Request for Evidence (RFE).

• If you move or are no longer receiving mail at the U.S. address listed on your Form I-765 and have not yet received your EAD card, log in to USCIS online and complete the Enterprise Change of Address (E-COA).

• Be mindful of the 180-day automatic extension.

USCIS Case Inquiries & Status Requests

In addition to the National Customer Service Center phone line, 800-375-5283, USCIS offers several online tools.

- Check your case status online.

- Get automatic updates about your case.

- Submit an online case inquiry or service request.

- Get a tracking number and register for Informed Delivery through USPS to get previews of the mail in transit.

Case Inquiry

⚠	⚠	⚠	⚠
Case outside normal processing time	Did not receive notice by mail	Did not receive card by mail	Did not receive document by mail
Think a case is taking longer than expected?	*Think a notice is lost or missing?*	*Think a card is lost or missing?*	*Think a document is lost or missing?*

Service Request

♿	✔		
Appointment Accommodations	Typographic Error		
Request accommodations for an interview appointment	*Make typographic corrections for a case*		

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EAD: Employment Authorization Document

STEM OPT work authorization is granted in the form of an Employment Authorization Document (EAD).

Dates of employment authorization:

You CANNOT work outside of these dates.

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STEM OPT Reporting Requirements

STEM OPT Reporting Requirements

You must regularly check in with ISSS to validate information and report changes made to the training plan

General Reporting:

- Use the SEVP Portal to report any changes in legal name, address, or phone number
  - Review the SEVP Help Hub for additional resources (e.g., user guide, instructional videos).

Validation Information Reporting

- Every six months you must complete the **STEM OPT Validation Reporting** eform (available in MyISSS portal) to confirm your information in SEVIS is accurate

Annual Self-Evaluations

- You must complete and submit to ISSS an annual self-evaluation describing the progress of the training experience
  - Progress evaluation: 12 months after the STEM OPT start date
  - Final Evaluation: Due within 10 days following the end of STEM OPT employment including when the 24-month STEM period ends
  - Submit the **STEM OPT Validation Reporting** eform (available in MyISSS portal)
    - Attach page 5 of the I-983 for the 12 and 24-month evaluation

Employer Reporting Requirements

- Evaluation of Student Progress
  - The STEM OPT employer must review the student's annual self-evaluation and sign it to attest to its accuracy.

- Material Changes to an Existing Form I-983
  - Employers must collaborate with the STEM OPT student to report any material changes to Form I-983 to ISSS at CU Boulder
  - The STEM OPT student must submit the **STEM OPT Employment Info Update** eform (available in the MyISSS Portal)

- Loss of Employment
  - Both the employer and student must notify ISSS at CU Boulder if the student's employment is terminated for any reason before the end of the STEM period.
  - The employer must report this to ISSS no later than five business days after the student's employment terminates
    - Send an email to ISSS with details of the termination

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Changing Employers – STEM application is pending

Steps to take if your STEM OPT application is *pending* and you change employers:

1. Submit a new Form I-983 to ISSS within 10-days of starting with your new employer
   - Complete the **STEM OPT Employment Info Update** eform (available in the **MyISSS Portal**)

2. With 2-5 business days, ISSS will email you an updated I-20 with the new employer information on page 2.
   - Print and sign the I-20
   - log in to the myaccount.uscis.gov account and upload the I-20 to *Unsolicited Evidence* under the Documents tab.

3. If you are already within your STEM OPT period (after your Post-Completion OPT end date), submit a Form I-983 final evaluation for your current employer.
   - The final evaluation (found on page 5) must be completed by you and signed by your supervisor.
   - You only need to submit the final evaluation, not a new Form I-983. Submit to the **STEM OPT Validation Reporting** (available in the MyISSS portal).

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Changing Employers – STEM application approved

Steps to take if your STEM OPT application is **_approved_** and your employer changes:

1. Report the end date of your current employer to ISSS
   - Send ISSS an email.
   - Note: Your current employer is also required to report the termination of your employment to ISSS within 5 business days. They should send ISSS an email.

2. Complete your Form I-983 **final evaluation**
   - Fill out page 5 of Form I-983 for your current employer
   - Submit to the **STEM OPT Validation Reporting** eform (available in **MyISSS portal**).

3. Report your new employment
   - Complete the ISSS **STEM OPT Employment Info Update** eform (available in **MyISSS portal**).
   - You will upload a copy of the **new** completed and signed Form I-983 Training Plan for your **new** STEM OPT training opportunity.

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Unemployment During STEM OPT

You are allowed up to 150 days of unemployment during the STEM OPT period. This includes remaining unemployment days from your post-completion OPT period.

- Example: If you finish your Post-Completion OPT with 40 days of unemployment time accrued (leaving 50 days remaining), then you would have 110 days of unemployment remaining during your period of STEM OPT.

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Documentation to Keep

Suggested Documentation for STEM OPT: you may be asked to provide the following records during or after your STEM OPT authorization:

- Proof that your training is directly related to your major field of study.

- Copies of offer letters or contracts with all STEM OPT employers, including start/ end dates, pay rate, and weekly work hours.

- Job descriptions including job title, duties, location, and supervisor's contact information.

- Copies of pay stubs, bank statements showing direct deposits from your employer(s), and associated W-2 tax forms.

Cap-Gap Extension I-20

Students with a pending or approved cap-subject H-1B petition may remain in F-1 status during the "cap-gap" period – the time between the end of their OPT or F-1 status and the start of their H-1B status.

Cap-Gap Eligibility Requirements:

- a cap-subject H-1B petition was filed as a change of status with USCIS; and

- USCIS receives the petition before the OPT/ STEM OPT end date or within the 60-day grace period; and

- The requested H-1B start date is April 1 of the fiscal year or earlier

The F-1 status will be extended through the day before the approved H-1B start date. *Note*: If the H 1B was filed during the 60-day grace period, the F-1 status is extended but not the work authorization.

The cap-gap extension terminates automatically if the H-1B petition is denied, withdrawn, or rejected.

- To request a Cap-Gap I-20, sign in to MyISSS and complete the **Cap-Gap I-20 Request** under *Training/Employment-Related Forms*.

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60-Day Grace Period After STEM OPT Completion

After completing your STEM OPT, you have a 60-day grace period if you maintained your F-1 status and did not exceed your allotted unemployment days.

- You **cannot** work or re-enter the U.S. in F-1 status during this grace period.

- Plan to leave the U.S. on or before the end of your 60-day grace period.

- You may request a SEVIS transfer to another U.S institution if admitted and the new program starts within 5 months.

- You can also apply for a change of status during this grace period.

Beginning a New Degree Program or Completing a SEVIS Transfer While on STEM OPT

- STEM OPT work authorization is **terminated** when your SEVIS record is transferred to a new school and/or you begin a program at another educational level.

- If you choose to enroll in a course of study while participating in STEM OPT, it may impact your work authorization.

  - Consult ISSS if you are considering beginning a new course of study or will seek to transfer your SEVIS record to another institution.

International Travel on STEM OPT

If you temporarily leave the U.S. while on STEM OPT, you must have proof of employment, or a job offer in your major field of study to re-enter.

- **Required Documents for Re-entry in F-1 Status:**
- **I-20** with STEM OPT employment information and a travel signature dated within the last 6 months.
- **Valid Passport** (must be valid for at least 6 months beyond your intended stay unless exempt).
- **Valid F-1 Visa** (Canadians are exempt).
- **Unexpired Employment Authorization Document (EAD Card)** (EAD alone is NOT valid for re-entry).
- **Proof of Employment** (job offer letter or employment verification in your major field of study).
- **I-901 SEVIS Fee Receipt** (printable online).

Travel Considerations During STEM OPT:

Absences **must be less than 5 months**. Absences over 5 months may result in denied re-entry, even with a valid job and EAD.

Do NOT travel if you have a pending change of status application—it may be considered abandoned. Consult an immigration attorney for guidance.

Re-entry in a different visa status (e.g., B visa) will make you ineligible to work on STEM OPT. You must re-enter in F-1 status.

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Additional Travel Resources & Important Reminders

I-94 arrival record

Check your **I-94 arrival record** after each re-entry to ensure your information is correct (biographical details, Class of Admission: F-1, Admit Until Date: D/S).

Travel to Third-Country Destinations

- You may need a **transit visa** (for layovers) or a **tourist visa** for your final destination.
- Check visa requirements with the relevant country's embassy or consulate. ISSS does not provide visa advice for other countries.

Helpful Travel Resources

- ICE Travel FAQ
- ISSS OPT Travel FAQ
- Visa Renewal
- Printing a Copy of Your I-94

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Eligibility for a second period of STEM OPT at a *higher* educational level

- If a student completes all course requirements for another qualifying STEM degree in the U.S. at a *higher* degree level than the first STEM qualifying degree, the student may apply for a second 24-month STEM OPT extension while in a valid period of standard post-completion OPT.
- A student may not be authorized for more than **two** *lifetime* STEM OPT extensions

Additional STEM OPT Resources

- DHS STEM OPT Hub

- USCIS OPT Extension for STEM Students

- I-983 Training Plan for STEM OPT Students

- Form I-983 Training Plan Resources

- STEM OPT Reporting Requirements Handout

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Applying for STEM OPT can be a complicated process.

If you have questions after reviewing this presentation:

- Email your questions to isss@colorado.edu.

- Speak with an ISSS advisor during in-person or remote ISSS Advising.

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